

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

WILLIAM R. SODEN, JR.,
Petitioner,
vs.
JEFFERY UTTECHT,
Respondent.

NO. CV-10-451-RMP
ORDER DISMISSING PETITION

By Order filed January 28, 2011, the court advised Mr. Soden of the deficiencies of his federal habeas corpus petition and directed him to amend within sixty (60) days. Petitioner, a prisoner at the Coyote Ridge Correction Center, is proceeding *pro se*; Respondent has not been served.

Specifically, the court noted Mr. Soden had failed to present useful information regarding any state court challenges to a 1998 Grant County guilty plea to four counts of First Degree Rape of a Child. He also failed to present any “grounds” for federal habeas relief as required by Rule 2, Rules Governing Section 2254 Cases in the United States District Courts. Petitioner did not demonstrate he exhausted state court remedies as to any ground for relief and it did not appear his federal habeas petition was timely under 28 U.S.C. § 2244(d)(1). *Lindh v. Murphy*, 521 U.S. 320, 327-27 (1997).

The court cautioned that failure to amend as directed would result in dismissal of the petition. Nevertheless, Petitioner did not comply. The letter dated February 5, 2011,

1 and the document titled, "Affidavit of Truth," are not responsive to the directive to
2 amend. Therefore, **IT IS ORDERED** the Petition (ECF No. 1) is **DISMISSED without**
3 **prejudice.**

4 **IT IS SO ORDERED.** The District Court Executive shall enter this Order, enter
5 judgment and forward a copy to Petitioner at his last known address. The court further
6 certifies that pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this decision could not
7 be taken in good faith, and there is no basis upon which to issue a certificate of
8 appealability. 28 U.S.C. § 2253(c); Fed. R.App. P. 22(b).

9 **DATED** this 4th day of April 2011.

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11
12 s/ Rosanna Malouf Peterson

13 ROSANNA MALOUF PETERSON
14 CHIEF UNITED STATES DISTRICT JUDGE
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